

unnecessary for Water Power to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. OA96-79-001]

Wisconsin Public Service Corporation; Notice of Filing

October 17, 1997.

Take notice that on August 15, 1997 Wisconsin Public Service Corporation tendered for filing revised indices of its service agreements under its open access transmission tariff pursuant to the Commission's order in Allegheny Power System, Inc., 80 FERC ¶ 61,143 (1997).

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 27, 1997. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EC98-3-000, et al.]

Black Hills Corporation, et al.; Electric Rate and Corporate Regulation Filings

October 16, 1997.

Take notice that the following filings have been made with the Commission:

1. Black Hills Corporation

[Docket No. EC98-3-000]

Take notice that on October 9, 1997, Black Hills Corporation, which operates

its electric utility under the assumed name of Black Hills Power and Light Company (BHC), pursuant to Section 203(a) of the Federal Power Act, 16 U.S.C. 824b, tendered for filing an application for an order authorizing BHC (i) to sell an undivided interest in the Yellow Creek-to-Osage 230 kV Addition (approximately 43.18 miles of 230 kV electric transmission line located in Lawrence County, South Dakota, referred to herein as the 230 kV Addition) to Basin Electric Power Cooperative (BEPC), a rural electric generation and transmission cooperative; and (ii) to sell an undivided interest in the Spearfish-to-Yellow Creek 69 kV Underbuild (approximately 5.7 miles of 69 kV electric transmission line underbuild located in Lawrence County, South Dakota, referred to herein as the 69 kV Underbuild) to Black Hills Electric Cooperative, Inc. (BHEC), and Butte Electric Power Cooperative, Inc. (BEC), both rural electric distribution cooperatives. The 230 kV Addition and the 69 kV Underbuild are new additions to BHC's 230 kV and 69 kV transmission systems which are used by BHC, BEPC, BHEC and BEC to serve their respective customers in the transmission area consisting of the Black Hills area of western South Dakota, the northeastern area of Wyoming and a small area in southeastern Montana.

BHC has requested that further notice be waived and the application be expedited.

Comment date: October 29, 1997, in accordance with Standard Paragraph E at the end of this notice.

2. Louisville Gas and Electric Company, LG&E Energy Marketing Inc., and Kentucky Utilities Company

[Docket Nos. EC98-2-000 and ER98-111-000]

Take notice that on October 9, 1997, Louisville Gas and Electric Company (LG&E) and LG&E Energy Marketing Inc. (LEM), on behalf of themselves and their non-utility parent holding company, LG&E Energy Corp. (LEC), and Kentucky Utilities Company (KU), on behalf of itself and its non-utility parent holding company, KU Energy Corporation (KEC) (LG&E, LEM and KU, being hereinafter referred to collectively as the Applicants), tendered for filing pursuant to Section 203 of the Federal Power Act (the FPA), 16 U.S.C. 824b, Part 33 of the Commission's Regulations, 18 CFR Part 33, and 18 CFR 2.26, an Application for an order approving the proposed merger of LG&E's non-utility holding company parent, LEC, with KU's non-utility holding company parent, KEC, and any consequent transfer of control over KU,

LG&E, and LEM resulting from such merger.

Applicants state that pursuant to an Agreement and Plan of Merger dated as of May 20, 1997, KEC will merge into LEC, with LEC surviving the merger and KEC ceasing to exist. After consummation of the merger, KU will become, and LG&E and LEM will remain, wholly-owned subsidiaries of LEC. The merger will result in no sale, assignment, pledge, or transfer of LG&E's or LEM's public utility assets or franchises. Subject to Commission approval, at the time of the merger KU and LG&E will enter into: (1) A Power Supply System Agreement pursuant to which they will jointly dispatch their power supply resources, jointly plan for new generation, and establish the terms for intercompany exchanges of capacity and energy, and (2) a Transmission Coordination Agreement pursuant to which they will plan and operate their combined transmission facilities as a single integrated system. Simultaneous with this filing, the Applicants also filed with the Commission, pursuant to Section 205 of the FPA, a single system Open Access Transmission Tariff.

The Applicants state that they have submitted the information required by Part 33 of the Commission's Regulations, and by the Commission's Merger Policy Statement (Inquiry Concerning the Commission's Merger Policy Under the Federal Power Act; Policy Statement, Order No. 592, 61 FR 68,595 (1996), to be codified at 18 CFR 2.26), in support of the Application. The Applicants also represent that, as required by 18 CFR 33.6, copies of the Application and related testimony and exhibits have been served on each of the wholesale sales and firm transmission customers of LG&E and KU, and on the Kentucky Public Service Commission, the Virginia State Corporation Commission, and the Tennessee Regulatory Authority.

Comment date: December 8, 1997, in accordance with Standard Paragraph E at the end of this notice.

3. Brooklyn Navy Yard Cogeneration Partners, L.P.

[Docket No. EG98-3-000]

On October 8, 1997, Brooklyn Navy Yard Cogeneration Partners, L.P., 366 Madison Avenue, Suite 1103, New York, New York 10017, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to section 32(a)(1) of the Public Utility Holding Company Act of 1935, as amended by section 711 of the Energy Policy Act of 1992.